



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,451	11/14/2006	Jim Craigie	540546-0325858 (HL-104)	1201
36183 7590 08/31/2010 PAUL, HASTINGS, JANOFSKY & WALKER LLP 875 15th Street, NW Washington, DC 20005			EXAMINER WRIGHT, BRYAN F	
			ART UNIT 2431	PAPER NUMBER
			MAIL DATE 08/31/2010	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/568,451	Applicant(s) CRAIGIE, JIM	
	Examiner BRYAN WRIGHT	Art Unit 2431	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>7/21/2010</u> . | 6) <input type="checkbox"/> Other: _____ |

FINAL ACTION

1. This action is in response to amendment filed on 8/3/2010. Claims 1, 8, 10 and 16 are amended. Claims 1-16 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lakhdar et al. (WO 01/37496 cited from IDS) in view of Malkin et al. (US Patent No. 6,643,684 and Malkin hereinafter) and further in view of Bandini (WO 03/001326 (cited from IDS)).

2. As to claim 1,.Lakhdar teaches a method of applying a sender-specific mail policy, the method comprising: receiving a mail message intended for further transmission (i.e., ...teaches processing a message intended to circulate through a network [pg. 6]), the mail message indicating a sender thereof (i.e., ...teaches message containing an address [pg. 13, lines 25-30]);

Lakhdar does that expressly teach

determining whether said mail message contains a digital signature;

Art Unit: 2431

attempting to verify the digital signature in said mail message, if the mail message does contain a verified digital signature, and if a user corresponding to the verified digital signature corresponds to the sender indicated in the mail message, applying an associated sender-specific mail policy to said mail message;

and if the mail message does not contain a digital signature, or does not contain a verified digital signature corresponding to the sender indicated in the mail message, applying a default mail policy to said mail message. However at the time of applicant's original filings Bandini discloses determining if a message contains a digital signature and if not performing a subsequent operation. See Bandini page 19, lines 19-23.

Therefore to enhance the email distribution capability of Lakhdar, a person with ordinary skill in the art would have modified the system of Lakhdar with Bandini capabilities to determine if a message contains a digital signature.

Lakhdar and Bandini does not expressly teach:

maintaining a list of computer system users and associated sender-specific mail policies~ said sender-specific mail .policies indicating how or whether a mail message should be further transmitted across a network; However at the time of applicant's original filings Malkin discloses a sender specific policy. See Malkin column 8, lines 35-40. Additionally, Malkin discloses a list of devices (e.g., compute system). See Malkin column 1, lines 60-65. Therefore to enhance the email distribution process of Lakhdar and Bandini, a person of ordinary skill in the art would have recognize the advantage of modifying the system of Lakhdar and Bandini with Malkin capabilities to customize

Art Unit: 2431

sender specific policies and to maintain a list of devices relating to email and sender specific policy data.

3. As to claim 2,.Lakhdar teaches a method where the step of applying a sender-specific mail policy to said mail message comprises determining whether the mail message complies with said policy (i.e., ...teaches a policy manager for determining what policy it apply [pg. 11, lines 25-30]); if the mail message does comply with said policy (i.e.,...teaches the use of a security policy used to determine how to handle the message [pg. 13, lines 25-30]), allowing transmission of said message (i.e., .. teaches allowing the message to transmitted [pg. 15, lines 5-10]); if the mail message does not comply with said policy, applying appropriate measures to said message (i.e., ...teaches if the message is not in compliant to signature policy, applying a default policy [pg. 9, lines 25-30]).

4. As to claim 3,.Lakhdar teaches a method where the step of applying a default mail policy to said mail message comprises determining whether the mail message complies with said policy (i.e., ...teaches applying a default policy [pg. 9, lines 25-30]); if the mail message does comply with said policy, allowing transmission of said message; and if the mail message does not comply with said policy, applying appropriate measures to said message [fig. 6].

Art Unit: 2431

5. As to claim 4, Lakhdar teaches a method where said default mail policy is triggered by more criteria than said sender-specific mail policy (i.e., .. triggering default policy [pg. 9, lines 25-30]).

6. As to claim 5, Lakhdar teaches an email distribution system, however Lakhdar does not expressly teach a method where the step of applying a default mail policy to said mail message comprises rejecting said mail message.

7. As to claim 6, Lakhdar teaches a method comprising receiving the mail message in a boundary agent, the mail message being intended for further transmission over an external computer network [fig. 1].

8. As to claim 7, Lakhdar teaches a computer program product, comprising code (e.g., portable code) for performing the method as claimed in claim 1 [pg. 7, lines 25-30].

9. Claims 8-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bandini in view of Malkin.

10. As to claim 8,.Bandini teaches a method of applying a sender-specific mail policy, for use in a boundary agent of a first computer network, the method comprising:
(b) receiving from a user of said first computer network a mail message intended for

Art Unit: 2431

further transmission over a second computer network (i.e., ...teaches processing a message intended to circulate through a network [pg. 8, lines 1-15]), the mail message indicating a sender thereof (i.e., ...teaches message containing an address [pg. 13, lines 25-30]); (c i) determining whether said mail message contains a digital signature (i.e., ...teaches determining if a signature is present [page 19, lines 19-23]), and, if so (c2) attempting to verify the digital signature (i.e., ..teaches signature being present to authenticate [page 19, lines 19-23]); and (d) if the mail message does contain a verified digital signature (i.e., ..teaches signature being present to authenticate [page 19, lines 19-23]), and if a user corresponding to the verified digital signature corresponds to the sender indicated in the mail message (i.e., ..teaches a signature corresponding to a sender [page 19, lines 19-23]),

Bandini does not expressly teach:

maintaining a list of computer system users and associated sender-specific mail policies~ said sender-specific mail .policies indicating how or whether a mail message should be further transmitted across a network; However at the time of applicant's original filings Malkin discloses a sender specific policy. See Malkin column 8, lines 35-40. Additionally, Malkin discloses a list of devices (e.g., compute system). See Malkin column 1, lines 60-65. Therefore to enhance the email distribution process of Lakhdar and Bandini, a person of ordinary skill in the art would have recognize the advantage of modifying the system of Bandini with Malkin capabilities to customize sender specific

Art Unit: 2431

policies and to maintain a list of devices relating to email and sender specific policy data.

11. As to claim 9, Bandini teaches a method further comprising: if the mail message does not contain a digital signature, or does not contain a verified digital signature corresponding to the sender indicated in the mail message (i.e.,...teaches if a signature is not present, automatically signing the message [page 19, lines 19-23])), applying a default mail policy to said mail message (i.e., ...teaches the ability to apply a default policy [page 19, lines 19-23])).

12. As to claims 10 and 16,.Bandini teaches a local computer network, comprising: a plurality of user computers [fig.. 1]; and a mail server [fig.,1]; and having a connection to a second computer network [fig. 1], such that outgoing mail messages can be sent from the user computers to destination computers connected to the second computer network [fig. 1], and such that incoming mail messages can be sent to the user computers from transmitting computers connected to the second computer network, said outgoing mail message indicating a sender thereof, said mail server determines whether said outgoing message contains a digital signature and (i.e., ...teaches determining if a signature is present [page 19, lines 19-23])), if so, attempts to verify a digital signature in said outgoing mail message (i.e., ..teaches signature being present to authenticate [page 19, lines 19-23])); and if the outgoing mail message does contain a verified digital signature, and if a user corresponding to the verified digital signature

Art Unit: 2431

corresponds to the sender indicated in the outgoing mail message (i.e.,...teaches if a signature is not present, [page 19, lines 19-23]),

Bandini does not expressly teach:

maintaining a list of computer system users and associated sender-specific mail policies, said sender-specific mail .policies indicating how or whether a mail message should be further transmitted across a network; However at the time of applicant's original filings Malkin discloses a sender specific policy. See Malkin column 8, lines 35-40. Additionally, Malkin discloses a list of devices (e.g., compute system). See Malkin column 1, lines 60-65. Therefore to enhance the email distribution process of Lakhdar and Bandini, a person of ordinary skill in the art would have recognize the advantage of modifying the system of Bandini with Malkin capabilities to customize sender specific policies and to maintain a list of devices relating to email and sender specific policy data.

13. As to claim 11, Bandini teaches a local computer network where, if the outgoing mail message does not contain a digital signature, or does not contain a verified digital signature corresponding to the sender indicated in the outgoing mail message (i.e., ..teaches signature being present to authenticate [page 19, lines 19-23]), said mail server applies a default mail policy to said outgoing mail message (i.e., .. triggering a default policy [page 19, lines 19-23]).

Art Unit: 2431

14. As to claim 12, Bandini teaches a email distribution system, however, Bandini does not teach a local computer network where when said mail server determines whether the outgoing mail message complies with said sender- specific mail policy, if the outgoing mail message does comply with said sender-specific mail policy and said mail server allows transmission of said outgoing mail message; and if the outgoing mail message does not comply with said sender-specific mail policy, said mail server applies appropriate measures to said outgoing mail message. However at the time of applicant's original filings Malkin discloses a sender specific policy. See Malkin column 8, lines 35-40. Additionally, Malkin discloses a list of devices (e.g., compute system). See Malkin column 1, lines 60-65. Therefore to enhance the email distribution process of Lakhdar and Bandini, a person of ordinary skill in the art would have recognize the advantage of modifying the system of Bandini with Malkin capabilities to customize sender specific policies and to maintain a list of devices relating to email and sender specific policy data.

15. As to claim 13, Bandini teaches a local computer network where when said mail server determines whether the outgoing mail message complies with said default mail policy [page 19, lines 19-23]: if the outgoing mail message does comply with said default policy, said mail server allows transmission of said outgoing mail message (i.e., .. teaches allowing the message to transmitted [page 19, lines 19-23]); and if the outgoing mail message does not comply with said default policy, said mail server

Art Unit: 2431

applies appropriate measures to said outgoing mail message (i.e., ...teaches making determination based on policy requirements [page 19, lines 19-23]).

16. As to claim 14, Bandini teaches a local computer network where said default mail policy is triggered by more criteria than said sender-specific mail policy (i.e., .. triggering default policy [page 19, lines 19-23]).

17. As to claim 15, Bandini teaches a local computer network where said default mail policy is to reject said outgoing mail message (page 19, lines 19-23).

Response to Arguments

Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection. The Examiner contends that Bandini discloses determining if a message contains a digital signature. See Bandini page 19, lines 19-23. Additionally, the Examiner contends that prior art reference Malkin discloses a sender specific mail policy. See Malkin column 1, lines 60-65.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRYAN WRIGHT whose telephone number is (571)270-3826. The examiner can normally be reached on 8:30 am - 5:30 pm Monday -Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2431

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BRYAN WRIGHT/
Examiner, Art Unit 2431
/Syed Zia/
Primary Examiner, Art Unit 2431